

The Honorable Lauren King

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE**

STATE OF WASHINGTON, et al.,

Plaintiffs,

v.

DONALD J. TRUMP, in his official
capacity as President of the United States,
et al.,

Defendants.

NO. 2:25-cv-00244-LK

ORDER GRANTING PLAINTIFFS'
MOTION FOR CONTEMPT,
SHORTENED TIME, AND
ATTORNEYS' FEES

[PROPOSED]

NOTE ON MOTION CALENDAR:
Friday, March 14, 2025

ORAL ARGUMENT REQUESTED

This matter comes before the Court on the Motion for Contempt, Shortened Time, and Attorneys' Fees filed by the States of Washington, Minnesota, Oregon, and Colorado (collectively, Plaintiff States) and Physician Plaintiff 1, Physician Plaintiff 2, and Physician Plaintiff 3 (all collectively, Plaintiffs). The Court has considered the oral arguments of counsel for Plaintiffs and the Defendants, the briefing of the parties, as well as the records and pleadings in this case. The Court hereby FINDS that:

1. Defendant United States Department of Health and Human Service's termination of the Seattle Children's Hospital grant (NIH Project No. 5R21HD107311) violates the clear terms of the Court's February 14, 2025, Temporary Restraining Order (TRO) ruling and the February 28, 2025, Preliminary Injunction (PI) ruling. Specifically, the Court finds that it violates both orders' injunctions against enforcement and implementation of Section 4 of Executive Order

14,187 because (i) the grant at issue specifically funds provision of gender-affirming care designed to improve sexual, mental, and physical health outcomes for transgender adolescents through improved sexual health education and counseling and (ii) Seattle Children's Hospital provides gender-affirming care of precisely the kind targeted by Executive Order 14,187; and

2. NIH's actions to terminate and deobligate the Seattle Children's Hospital grant also further violates the portion of the PI ruling on Executive Order 14,168, which enjoined implementation and enforcement of Sections 3(e) and 3(g) of Executive Order 14,168. Defendants' actions violate this Court's PI ruling enjoining implementation and enforcement of Sections 3(e) and 3(g) of Executive Order 14,168 because the grant at issue specifically funds gender-affirming care and was terminated by Defendants because it funds research into and the provision of gender-affirming care. Defendants therefore violated this Court's injunction against "condition[ing] or withhold[ing] federal funding based on the fact that a health care entity or health care professional provides gender-affirming care within the Plaintiff States." Dkt. #233 p.53.

Based on these findings, the Court hereby ORDERS that:

1. Defendants United States of America and Department of Health and Human Services are in contempt of court;

2. Defendants United States of America and Department of Health and Human Services shall immediately rescind their letters terminating NIH Project No. 5R21HD107311 and shall reinstate it in good standing including all outstanding funds on the grant balance in the amount of \$78,300.91;

3. Defendants United States of America and Department of Health and Human Services shall take no further actions to defund, deobligate, or otherwise obstruct the completion of NIH Project No. 5R21HD107311;

4. No Defendant shall take any steps to implement, give effect to, or reinstate the enjoined provisions of Executive Orders 14,187 or 14,168 under a different name or guise.

5. Defendants shall pay Plaintiff State of Washington's attorneys' fees associated with bringing this motion in the amount of _____.

DATED this this ____ day of March 2025.

THE HONORABLE LAUREN KING
United States District Court Judge

1 Presented by:

2 NICHOLAS W. BROWN
3 Attorney General of Washington

4 /s/ William McGinty

5 WILLIAM MCGINTY, WSBA #41868
6 CYNTHIA ALEXANDER, WSBA #46019
7 TERA HEINTZ, WSBA #54921
8 ANDREW R.W. HUGHES, WSBA #49515
9 NEAL LUNA, WSBA #34085
10 CRISTINA SEPE, WSBA #53609
11 LUCY WOLF, WSBA #59028
12 Assistant Attorneys General
13 800 Fifth Avenue, Suite 2000
14 Seattle, WA 98104-3188
15 (360) 709-6470
16 William.McGinty@atg.wa.gov
17 Cynthia.Alexander@atg.wa.gov
18 Tera.Heintz@atg.wa.gov
19 Andrew.Hughes@atg.wa.gov
20 Neal.Luna@atg.wa.gov
21 Cristina.Sepe@atg.wa.gov
22 Lucy.Wolf@atg.wa.gov
23 Attorneys for Plaintiff State of Washington

24 /s/ Colleen Melody

25 LAURYN K. FRAAS, WSBA #53238
26 COLLEEN MELODY, WSBA #42275
Assistant Attorneys General
800 Fifth Avenue, Suite 2000
Seattle, WA 98104-3188
(360) 709-6470
Lauryn.Fraas@atg.wa.gov
Colleen.Melody@atg.wa.gov
Attorneys for Physicians Plaintiffs 1-3

20 KEITH ELLISON
21 Attorney General of Minnesota

22 /s/ James W. Canaday

23 JAMES W. CANADAY (admitted pro hac vice)
24 Deputy Attorney General
25 445 Minnesota St., Ste. 600
26 St. Paul, Minnesota 55101-2130
(651) 757-1421
james.canaday@ag.state.mn.us
Attorneys for Plaintiff State of Minnesota

1 DAN RAYFIELD
Attorney General of Oregon

2 /s/ Allie M. Boyd
3 ALLIE M. BOYD, WSBA #56444
4 Senior Assistant Attorney General
5 Trial Attorney
6 1162 Court Street NE
7 Salem, OR 97301-4096
8 (503) 947-4700
9 allie.m.boyd@doj.oregon.gov
10 *Attorneys for Plaintiff State of Oregon*

11 PHIL WEISER
Attorney General of Colorado

12 /s/ Shannon Stevenson
13 SHANNON STEVENSON (admitted pro hac vice)
14 Solicitor General
15 Office of the Colorado Attorney General
16 1300 Broadway, #10
17 Denver, CO 80203
18 (720) 508-6000
19 shannon.stevenson@coag.gov
20 *Attorneys for Plaintiff State of Colorado*